

Notice of Allowability

Application No.

10/074,096

Examiner

Rodney G. McDonald

Applicant(s)

TAYLOR ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 4-24-05.
2. ☒ The allowed claim(s) is/are 52-93.
3. ☒ The drawings filed on 12 February 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/05, 8/04, 11/04, 4/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


RODNEY G. McDONALD
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended to update the status of the cited applications in the specification:

In the preliminary amendment of June 10, 2002 Page 1, line 9, after "2001" insert the phrase "now U.S. Pat. 6,544,485".

In the preliminary amendment of June 10, 2002 Page 2, line 4, replace "10/074,207, filed herewith" with "10/074,207, now abandoned".

The following is an examiner's statement of reasons for allowance:

Claims 52-58 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including first and second vertically elongated walls adjacent said germicidal lamp, said first wall located between said first air vent and said lamp to prevent a user from looking through said first air vent and directly viewing UV radiation emitted from said lamp, said second wall located between said second air vent and said lamp to prevent a user from looking through said second air vent and directly viewing UV radiation emitted from said lamp; wherein said second wall is attached to said removable panel so that access is provided to said germicidal lamp when said panel is removed from said housing; and wherein said louvers defining said first air vent are generally planar and extend in a direction generally parallel to one

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another, and said louvers defining said second air vent are generally planar and extend in a direction generally parallel to one another, so as to not significantly impede air entering said housing and exiting said housing through said air vents.

Claims 59-70 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a removable panel, securable to said housing, and within which is defined said inlet, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a wall attached to said first side of said removable panel, said wall arranged to prevent a user from directly looking through said inlet and directly viewing UV radiation emitted from said lamp when said panel is secured to said housing; wherein said lamp is accessible to a user when said removable panel and said attached wall are removed from said housing; wherein said inlet is defined by a plurality of louvers that are generally planar and extend in a direction generally parallel to one another so as to not significantly impede air entering said housing through said inlet; and wherein said outlet is defined by a plurality of louvers that are generally planar and extend in a direction generally parallel to one another, so as to not significantly impede air exiting said housing through said outlet.

Claims 71-78 are allowable over the prior art of record because the prior art of record does not teach a removable panel, adapted to be secured to said housing, and within which is defined said inlet, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a germicidal lamp positioned within said interior of said

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housing such a user looking through said inlet or said outlet cannot directly view UV radiation emitted from said lamp; a safety mechanism that cuts-off power to at least said lamp when said removable panel is removed from said housing; and wherein said lamp is accessible to a user when said removable panel is removed from said housing; and wherein said inlet is defined by a plurality of louvers that are generally planer and extend in a direction generally parallel to one another so as to not significantly impede air entering said housing through said inlet; and wherein said outlet is defined by a plurality of louvers that are generally planer and extend in a direction generally parallel to one another, so as to not significantly impede air exiting said housing through said outlet.

Claims 79-82 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including 'a removable panel, adapted to be secured to said housing, and within which is defined said second air vent, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a vertically elongated wall adjacent said germicidal lamp, said wall arranged to prevent a user from looking through said second air vent and directly viewing UV radiation emitted from said lamp; wherein access is provided to said germicidal lamp when said panel and said wall are removed from said housing; and wherein said first air vent is defined by a plurality of louvers that are generally planar and extend in a direction generally parallel to one another, and said second air vent is defined by a plurality of louvers that are generally planer and extend in a direction generally parallel to one another, so as to not

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significantly impede air entering and exiting said housing through said first air vent and said second air vent.

Claim 83 is allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a removable panel, adapted to be secured to said housing, and within which is defined one of said air vents, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a germicidal lamp positioned within said interior of said housing such a user looking through said air vents cannot directly view UV radiation emitted from said lamp; and wherein said lamp is accessible to a user when said removable panel is removed from said housing; and wherein said air vents are each defined by a respective plurality of louvers that are generally planar and extend in a direction generally parallel to one another so as to not significantly impede air entering and exiting said housing through said air vents.

Claims 84-88 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a free-standing housing defining an interior between a first air vent and second air vent; a removable panel, securable to said housing, and within which is defined one of said air vents, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a germicidal lamp positioned within said interior of said housing; and a wall attached to said first side of said removable panel, said wall arranged to prevent a user from directly looking through said one of said air vents defined in said removable panel and directly viewing UV

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radiation emitted from said lamp when said panel is secured to said housing; wherein said lamp is accessible to a user when said removable panel and said attached wall are removed from said housing.

Claims 89-93 are allowable over the prior art of record because the prior art of record does not teach the claimed subject matter including a free-standing housing defining an interior and an air vent that allows air to enter the interior of the housing; a removable panel securable to said housing, and within which is defined said air vent, said panel including a first side that faces said interior of said housing and a second side that faces away from said housing when said panel is secured to said housing; a germicidal lamp positioned within said interior of said housing; and a wall attached to said first side of said removable panel and arranged to prevent a user from looking through said air vent and directly viewing UV radiation emitted from said lamp; wherein said lamp is accessible to a user when said removable panel and said wall attached thereto are removed from said housing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney G. McDonald whose telephone number is 571-272-1340. The examiner can normally be reached on M- Th with Every other Friday off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam X. Nguyen can be reached on 571-272-1342. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Rodney G. McDonald
Primary Examiner
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RM
April 7, 2005